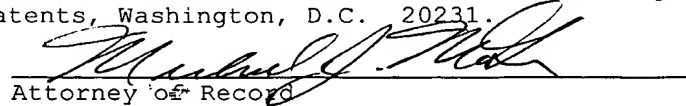


I hereby certify that this correspondence is being deposited with the U. S. Postal Service on the date set forth below as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.
Date of Signature
and Deposit: June 5, 2001


Attorney of Record

PATENT

Docket No. 160383.90228

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Christian Trinh Van
Appl. No.: 09/806,978
Filed: April 4, 2001
For: PROCESS FOR ESTABLISHING A DIGITAL DATA
CONNECTION OPERATING VIA A TRANSMISSION
MEDIUM THAT IS SUBJECT TO DISTURBANCE EFFECTS
Art Unit: Box PCT

**SUBMISSION OF DOCUMENTS
IN RESPONSE TO NOTICE TO FILE MISSING REQUIREMENTS**

Box PCT
Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Requirements dated March 16, 2001, please find transmitted herewith the original signed Declaration containing the signature of the inventors attached to a specification.

Also enclosed are:

- X a copy of the Notice to File Missing Requirements;
- X an Assignment Cover Sheet with an executed Assignment; and
- X a Fee Sheet with the surcharge for the late declaration.

Respectfully submitted,

By:



Michael J. McGovern
Quarles & Brady LLP
411 East Wisconsin Avenue
Milwaukee, WI 53202-4497
(414) 277-5725
Attorney of Record



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/806978	VAN C	160383.90228
INTERNATIONAL APPLICATION NO.		
PCT/FR99/02414		
I.A. FILING DATE	PRIORITY DATE	
08 OCT 99	09 OCT 98	

MICHAEL J MCGOVERN
QUARLES & BRADY
411 EAST WISCONSIN AVE
MILWAUKEE, WI 53202 4497

DATE MAILED: 23 MAY 2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- | | |
|--|---|
| <input checked="" type="checkbox"/> U.S. Basic National Fee. | <input type="checkbox"/> Indication of Small Entity Status. |
| <input checked="" type="checkbox"/> Copy of the international application. | <input type="checkbox"/> Translation of the international application into English. |
| <input checked="" type="checkbox"/> Oath or Declaration of inventors(s). | <input type="checkbox"/> Translation of Article 19 amendments into English. |
| <input type="checkbox"/> Copy of Article 19 amendments. | <input type="checkbox"/> Other: |
| <input checked="" type="checkbox"/> Priority Document. | |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. | |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English. | |

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- | | |
|---|---|
| <input type="checkbox"/> U.S. Basic National Fee. | <input type="checkbox"/> Copy of the international application. |
|---|---|

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- | |
|---|
| <input type="checkbox"/> a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date. |
| <input type="checkbox"/> The current translation is defective for the reasons indicated on the attached Notice of Defective Translation. |
| <input type="checkbox"/> b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)). |
| <input type="checkbox"/> c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date. |
| <input checked="" type="checkbox"/> The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917. |
| <input checked="" type="checkbox"/> d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)). |

4. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.Enclosed: ☒ PCT/DO/EO/917 ☐ Notice of Defective Translation
☐ PTO-875 ☐ PCT/DO/EO/920

Deborah Williams

Telephone: 703-305-3744

FORM PCT/DO/EO/905 (March 2001)





UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/806978	VAN	C
160383.90228		
INTERNATIONAL APPLICATION NO.		
PCT/FR99/02414		
I.A. FILING DATE	PRIORITY DATE	
08 OCT 99	09 OCT 98	
DATE MAILED: 23 MAY 2001		

MICHAEL J MCGOVERN
QUARLES & BRADY
411 EAST WISCONSIN AVE
MILWAUKEE, WI 53202 4497

NOTIFICATION OF A DEFECTIVE OATH OR DECLARATION

This application fails to contain an oath or declaration acceptable under 35 U.S.C. 371(c)(4) for entry into the national stage in the United States of America. The period within which to correct the deficiency noted below and avoid abandonment is set in the accompanying Notification.

A new oath or declaration, properly identifying this application (preferably by the international application number and international filing date) is required. The oath or declaration does not comply with 37 CFR 1.497(a),(b) and (f) in that it:

1. ☒ is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
2. ☐ does not identify the application to which it is directed.
3. ☐ does not identify the inventor(s).
4. ☐ does not identify the citizenship of each inventor.
5. ☐ does not state that the person making the oath or declaration believes the named inventor or inventors to be the original and first inventor or inventors of the subject matter which is claimed and for which a patent is sought.

FAILURE TO SUBMIT AN OATH OR DECLARATION IN COMPLIANCE WITH 37 CFR 1.497(a) AND (b), AND 1.497(d) WHERE APPROPRIATE, WITHIN THE TIME PERIOD SET WILL RESULT IN FAILURE TO ENTER THE NATIONAL STAGE AND THE ABANDONMENT OF THE APPLICATION.

Additionally, the oath or declaration does not comply with 37 CFR 1.63 in that it:

1. ☐ does not identify the mailing address of each inventor. If the residence is different from the mailing address, then the city and state or city and foreign country of residence of each inventor must also be given.
2. ☐ does not state that the person making the oath or declaration:
 - a. ☐ has reviewed and understands the contents of the application, including the claims, as amended by any amendment specifically referred to in the oath or declaration.
 - b. ☐ acknowledges the duty to disclose to the Office all information known to the person to be material to patentability as defined in 37 CFR 1.56.
3. ☐ does not identify the foreign application for patent or inventor's certificate for which a claim for priority is made pursuant to 37 CFR 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application serial number, country, day, month, and year of its filing.

Deborah Williams

Telephone: 703-305-3744

Express Mail Label No.

PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL
for FY 2001**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 170**Complete if Known**

Application Number	09/806,978
Filing Date	April 4, 2001
First Named Inventor	Christian Trinh Van
Examiner Name	---
Group Art Unit	---
Attorney Docket No.	160383.90228

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																																																							
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number: 17-0055 Deposit Account Name: Quarles & Brady LLP <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		3. ADDITIONAL FEES																																																																																																																							
2. <input type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other																																																																																																																									
FEE CALCULATION																																																																																																																									
1. BASIC FILING FEE																																																																																																																									
<table><thead><tr><th>Large Entity Fee Code (\$)</th><th>Small Entity Fee Code (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>101 710</td><td>201 355</td><td>Utility filing fee</td><td></td></tr><tr><td>106 320</td><td>206 160</td><td>Design filing fee</td><td></td></tr><tr><td>107 490</td><td>207 245</td><td>Plant filing fee</td><td></td></tr><tr><td>108 710</td><td>208 355</td><td>Reissue filing fee</td><td></td></tr><tr><td>114 150</td><td>214 75</td><td>Provisional filing fee</td><td></td></tr></tbody></table>		Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	101 710	201 355	Utility filing fee		106 320	206 160	Design filing fee		107 490	207 245	Plant filing fee		108 710	208 355	Reissue filing fee		114 150	214 75	Provisional filing fee																																																																																																	
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid																																																																																																																						
101 710	201 355	Utility filing fee																																																																																																																							
106 320	206 160	Design filing fee																																																																																																																							
107 490	207 245	Plant filing fee																																																																																																																							
108 710	208 355	Reissue filing fee																																																																																																																							
114 150	214 75	Provisional filing fee																																																																																																																							
SUBTOTAL (1) (\$) 0																																																																																																																									
2. EXTRA CLAIM FEES																																																																																																																									
<table><thead><tr><th>Total Claims</th><th>Extra Claims</th><th>Fee from below</th><th>Fee Paid</th></tr></thead><tbody><tr><td>Independent</td><td>-20** =</td><td>X</td><td></td></tr><tr><td>Claims</td><td>-3** =</td><td>X</td><td></td></tr><tr><td>Multiple Dependent</td><td></td><td></td><td></td></tr></tbody></table>		Total Claims	Extra Claims	Fee from below	Fee Paid	Independent	-20** =	X		Claims	-3** =	X		Multiple Dependent																																																																																																											
Total Claims	Extra Claims	Fee from below	Fee Paid																																																																																																																						
Independent	-20** =	X																																																																																																																							
Claims	-3** =	X																																																																																																																							
Multiple Dependent																																																																																																																									
<table><thead><tr><th>Large Entity Fee Code (\$)</th><th>Small Entity Fee Code (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>103 18</td><td>203 9</td><td>Claims in excess of 20</td><td></td></tr><tr><td>102 80</td><td>202 40</td><td>Independent claims in excess of 3</td><td></td></tr><tr><td>104 270</td><td>204 135</td><td>Multiple dependent claim, if not paid</td><td></td></tr><tr><td>109 80</td><td>209 40</td><td>** Reissue independent claims over original patent</td><td></td></tr><tr><td>110 18</td><td>210 9</td><td>** Reissue claims in excess of 20 and over original patent</td><td></td></tr></tbody></table>		Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	103 18	203 9	Claims in excess of 20		102 80	202 40	Independent claims in excess of 3		104 270	204 135	Multiple dependent claim, if not paid		109 80	209 40	** Reissue independent claims over original patent		110 18	210 9	** Reissue claims in excess of 20 and over original patent																																																																																																	
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid																																																																																																																						
103 18	203 9	Claims in excess of 20																																																																																																																							
102 80	202 40	Independent claims in excess of 3																																																																																																																							
104 270	204 135	Multiple dependent claim, if not paid																																																																																																																							
109 80	209 40	** Reissue independent claims over original patent																																																																																																																							
110 18	210 9	** Reissue claims in excess of 20 and over original patent																																																																																																																							
SUBTOTAL (2) (\$) 0																																																																																																																									
*or number previously paid, if greater; For Reissues, see above																																																																																																																									
		3. ADDITIONAL FEES (continued)																																																																																																																							
		<table><thead><tr><th>Large Entity Fee Code (\$)</th><th>Small Entity Fee Code (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>105 130</td><td>205 65</td><td>Surcharge - late filing fee or oath</td><td>130</td></tr><tr><td>127 50</td><td>227 25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr><tr><td>139 130</td><td>139 130</td><td>Non-English specification</td><td></td></tr><tr><td>147 2,520</td><td>147 2,520</td><td>For filing a request for ex parte reexamination</td><td></td></tr><tr><td>112 920*</td><td>112 920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>113 1,840*</td><td>113 1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>115 110</td><td>215 55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>116 390</td><td>216 195</td><td>Extension for reply within second month</td><td></td></tr><tr><td>117 890</td><td>217 445</td><td>Extension for reply within third month</td><td></td></tr><tr><td>118 1,390</td><td>218 695</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>128 1,890</td><td>228 945</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>119 310</td><td>219 155</td><td>Notice of Appeal</td><td></td></tr><tr><td>120 310</td><td>220 155</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>121 270</td><td>221 135</td><td>Request for oral hearing</td><td></td></tr><tr><td>138 1,510</td><td>138 1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>140 110</td><td>240 55</td><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>141 1,240</td><td>241 620</td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>142 1,240</td><td>242 620</td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>143 440</td><td>243 220</td><td>Design issue fee</td><td></td></tr><tr><td>144 600</td><td>244 300</td><td>Plant issue fee</td><td></td></tr><tr><td>122 130</td><td>122 130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>123 50</td><td>123 50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr><tr><td>126 180</td><td>126 180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr><tr><td>581 40</td><td>581 40</td><td>Recording each patent assignment per property (times number of properties)</td><td>40</td></tr><tr><td>146 710</td><td>246 355</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr><tr><td>149 710</td><td>249 355</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr><tr><td>179 710</td><td>279 355</td><td>Request for Continued Examination (RCE)</td><td></td></tr><tr><td>169 900</td><td>169 900</td><td>Request for expedited examination of a design application</td><td></td></tr></tbody></table>		Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	105 130	205 65	Surcharge - late filing fee or oath	130	127 50	227 25	Surcharge - late provisional filing fee or cover sheet		139 130	139 130	Non-English specification		147 2,520	147 2,520	For filing a request for ex parte reexamination		112 920*	112 920*	Requesting publication of SIR prior to Examiner action		113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action		115 110	215 55	Extension for reply within first month		116 390	216 195	Extension for reply within second month		117 890	217 445	Extension for reply within third month		118 1,390	218 695	Extension for reply within fourth month		128 1,890	228 945	Extension for reply within fifth month		119 310	219 155	Notice of Appeal		120 310	220 155	Filing a brief in support of an appeal		121 270	221 135	Request for oral hearing		138 1,510	138 1,510	Petition to institute a public use proceeding		140 110	240 55	Petition to revive - unavoidable		141 1,240	241 620	Petition to revive - unintentional		142 1,240	242 620	Utility issue fee (or reissue)		143 440	243 220	Design issue fee		144 600	244 300	Plant issue fee		122 130	122 130	Petitions to the Commissioner		123 50	123 50	Processing fee under 37 CFR 1.17(q)		126 180	126 180	Submission of Information Disclosure Stmt		581 40	581 40	Recording each patent assignment per property (times number of properties)	40	146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))		149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))		179 710	279 355	Request for Continued Examination (RCE)		169 900	169 900	Request for expedited examination of a design application			
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid																																																																																																																						
105 130	205 65	Surcharge - late filing fee or oath	130																																																																																																																						
127 50	227 25	Surcharge - late provisional filing fee or cover sheet																																																																																																																							
139 130	139 130	Non-English specification																																																																																																																							
147 2,520	147 2,520	For filing a request for ex parte reexamination																																																																																																																							
112 920*	112 920*	Requesting publication of SIR prior to Examiner action																																																																																																																							
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action																																																																																																																							
115 110	215 55	Extension for reply within first month																																																																																																																							
116 390	216 195	Extension for reply within second month																																																																																																																							
117 890	217 445	Extension for reply within third month																																																																																																																							
118 1,390	218 695	Extension for reply within fourth month																																																																																																																							
128 1,890	228 945	Extension for reply within fifth month																																																																																																																							
119 310	219 155	Notice of Appeal																																																																																																																							
120 310	220 155	Filing a brief in support of an appeal																																																																																																																							
121 270	221 135	Request for oral hearing																																																																																																																							
138 1,510	138 1,510	Petition to institute a public use proceeding																																																																																																																							
140 110	240 55	Petition to revive - unavoidable																																																																																																																							
141 1,240	241 620	Petition to revive - unintentional																																																																																																																							
142 1,240	242 620	Utility issue fee (or reissue)																																																																																																																							
143 440	243 220	Design issue fee																																																																																																																							
144 600	244 300	Plant issue fee																																																																																																																							
122 130	122 130	Petitions to the Commissioner																																																																																																																							
123 50	123 50	Processing fee under 37 CFR 1.17(q)																																																																																																																							
126 180	126 180	Submission of Information Disclosure Stmt																																																																																																																							
581 40	581 40	Recording each patent assignment per property (times number of properties)	40																																																																																																																						
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																							
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																							
179 710	279 355	Request for Continued Examination (RCE)																																																																																																																							
169 900	169 900	Request for expedited examination of a design application																																																																																																																							
		Other fee (specify) _____																																																																																																																							
		SUBTOTAL (3) (\$) 170																																																																																																																							

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Michael J. McGovern	Registration No. (Attorney/Agent)	28,326
Signature		Telephone	414-277-5725
		Date	June 5, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

[5068140]